

## RIGHT TO PURSUE INDIANS ACROSS BOUNDARY LINE

*Agreement signed at Washington June 25, 1890*

*Entered into force June 25, 1890*

*Expired June 25, 1891*

*Renewed by agreement of November 25, 1892 <sup>1</sup>*

Treaty Series 233

AGREEMENT ENTERED INTO IN BEHALF OF THEIR RESPECTIVE GOVERNMENTS, BY JAMES G. BLAINE, SECRETARY OF STATE OF THE UNITED STATES OF AMERICA, AND MATIAS ROMERO, ENVOY EXTRAORDINARY AND MINISTER PLENIPOTENTIARY OF THE UNITED MEXICAN STATES, PROVIDING FOR THE RECIPROCAL CROSSING OF THE INTERNATIONAL BOUNDARY LINE BY THE TROOPS OF THEIR RESPECTIVE GOVERNMENTS, IN PURSUIT OF SAVAGE HOSTILE INDIANS, UNDER THE CONDITIONS HEREINAFTER STATED

### ARTICLE I

It is agreed that the regular federal troops of the two Republics may reciprocally cross the boundary line of the two countries when they are in close pursuit of a band of hostile savage Indians, upon the conditions stated in the following articles:

### ARTICLE II

It is understood for the purpose of this agreement, that no Indian scouts of the Government of the United States of America shall be allowed to cross the boundary line, unless they go as guides and trailers, unarmed, and not exceeding in any case, two scouts for each Company or each separate command.

### ARTICLE III

The reciprocal crossing agreed upon in Article I, shall only occur in the unpopulated or desert parts of said boundary line. For the purpose of this agreement the unpopulated or desert parts are defined to be all those points

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<sup>1</sup> TS 234, *post*, p. 884.

which are at least ten kilometers distant from any encampment or town of either country.

#### ARTICLE IV

No crossing of troops of either country shall take place from Capitan Leal, a town on the Mexican side of the Rio Bravo, eighty-four kilometers (52 English miles) above Piedras Negras, to the mouth of the Rio Grande.

#### ARTICLE V

The Commander of the troops which cross the frontier in pursuit of Indians, shall, at the time of crossing, or before if possible, give notice of his march to the nearest military commander, or civil authority, of the country whose territory he enters.

#### ARTICLE VI

The pursuing force shall retire to its own territory as soon as it shall have fought the band of which it is in pursuit, or have lost its trail. In no case shall the forces of the two countries, respectively, establish themselves or remain in the foreign territory, for any time longer than is necessary to make the pursuit of the band whose trail they follow.

#### ARTICLE VII

The abuses which may be committed by the forces which cross into the territory of the other nation, shall be punished by the government to which the forces belong, according to the gravity of the offence and in conformity with its laws, as if the abuses had been committed in its own territory, the said government being further under obligation to withdraw the guilty parties from the frontier.

#### ARTICLE VIII

In the case of offences which may be committed by the inhabitants of the one country against the foreign forces which may be within its limits, the government of said country shall only be responsible to the government of the other for denial of justice in the punishment of the guilty.

#### ARTICLE IX

This being a provisional agreement it shall remain in force until both governments negotiate a definite one, and may be terminated by either government upon four months notice to the other to that effect; but in no case shall this agreement remain in force for more than one year from this date.

## ARTICLE X

The Senate of the United Mexican States, having authorized the President to conclude the present agreement, it shall have its effect from this date.

In testimony whereof we have interchangeably signed this agreement this 25th day of June, 1890.

JAMES G. BLAINE [SEAL]

M. ROMERO [SEAL]